

Section 6. Project Acceptance and Close-Out

Overview of Section 6

6.0

Section 6 addresses Steps 15 through 20, Project Acceptance and Close-out in the GESC Permit Process:

Step 15. Prepare the site for the Initial Close-Out Inspection and schedule the inspection at least 2 weeks prior to an anticipated request for a Temporary Certificate of Occupancy (TCO), Certificate of Occupancy (CO), Building Permit, or Initial Close-out Acceptance.

Section 6.1, **Preparation for the Initial Close-Out Inspection**, describes the tasks the Permittee(s) must complete prior to the Close-Out Inspection.

Step 16. Attend Initial Close-Out Inspection, make any corrections requested by the County, and obtain Initial Close-Out Acceptance.

Section 6.2, **Initial Close-Out Acceptance**, discusses the requirements for the Initial Close-Out Inspection and Acceptance.

Section 6.3, **Partial Acceptance of Phased Single-Family Residential Projects**, discusses the special requirements for detached single-family residential projects.

Step 17. Inspect the site monthly during the revegetation process. Make necessary corrections to the on-site BMPs and control weeds as necessary. Make corrective actions as required by Douglas County.

Section 6.4, **Establishment of Vegetation**, describes procedures for accepting the establishment of permanent vegetation; it also provides a definition of the required vegetation coverage, free of noxious weeds.

Section 6.5, **Control of Noxious Weeds**, describes the 11 types of weeds designated by the County as noxious. Noxious weeds are to be eradicated from the project site as part of the Contractor's revegetation requirements.

Step 18. Schedule the Vegetation Acceptance Inspection when vegetative growth has reached the required coverage.

Section 6.6 **Acceptance of Vegetation**, requires that once vegetation has reached the required coverage as defined in Section 6.4, a Vegetation Acceptance Inspection should be scheduled.

Step 19. After receiving written acceptance of vegetation establishment from the County, remove the on-site BMPs and schedule the Final Close-Out Inspection.

Section 6.7, **Final Close-Out Inspection**, all on-site BMPs shall be removed and the Final Close-Out Inspection scheduled.

Step 20. After receiving written notice from the County that all GESC requirements have been addressed, submit a signed Fiscal Security Release Form to the County. After the Fiscal Security is released by the County, the project is complete.

Section 6.8, **Release of Fiscal Security**, discusses the procedures for releasing the project's Fiscal Security.

Section 6.9, **Revocation of Fiscal Security for Default by Permittee(s)**, procedures are described where the County revokes the developer's Fiscal Security and uses the funds to complete the GESC requirements.

Permit Step 15: Prepare the site for the Initial Close-out Inspection and schedule the inspection at least 2 weeks prior to an anticipated request for a Temporary Certificate of Occupancy (TCO), Certificate of Occupancy (CO), Building Permit, or Initial Close-out Acceptance.
Section 6.1 discusses Step 15.

Preparation for Initial Close-out Inspection

6.1

6.1.1 Preparing for Inspection. In preparation for the Initial GESC Acceptance Inspection prior to the Permittee(s) leaving the site, the GESC Manager shall undertake the following:

1. Clean all streets, sidewalks and flowlines of sediment with a street sweeper. **WASHING OF STREETS, SIDEWALKS AND FLOWLINES IS IN DIRECT VIOLATION OF DOUGLAS COUNTY CRITERIA.** Clean all inlets, trickle channels and all other drainage features.
2. Remove temporary erosion and sediment controls (if directed by approved GESC Plan or Erosion Control Inspector) and install/maintain erosion and sediment control BMPs per the Douglas County approved Final GESC Plan.
3. Ensure all disturbed areas are Drill Seeded and Crimp Mulched, or otherwise stabilized, per Douglas County criteria.



6.1.2 Scheduling the Inspection.

Once all items are completed, the GESC Manager shall call the Public Works Engineering Permits Staff prior to 3:30 pm the day before the inspection and schedule an Initial GESC Acceptance Inspection. This inspection should be scheduled at the same general time as the Subdivision Improvements Agreement (SIA) Initial Acceptance walkthrough with an Engineering Inspector. To allow time for resolution of issues, the Initial Acceptance Inspections should be scheduled a minimum of 2 weeks prior to a scheduled request for a Building Permit, Temporary Certificate of Occupancy (TCO) or Certificate of Occupancy (CO).

Important!

It is imperative that the above-listed items are completed per this GESC Manual prior to the Initial Close-out Inspection. Failure to properly complete these items may result in an Engineering hold being placed on the issuance of any Building Permits or Certificates of Occupancy. If all items are completed in accordance with GESC Criteria, Public Works Engineering shall release any holds on issuance of Building Permits or Certificates of Occupancy.

Permit Step 16: Attend the Initial Close-out Inspection, make any corrections requested by the County, and obtain Initial Close-out Acceptance.

Section 6.2 and Section 6.3 discuss Step 16.

Initial Close-Out Acceptance

6.2

6.2.1 Attendees. Representatives of the Permittee(s), including the GESC Manager, shall attend the Initial Close-out Inspection along with the Engineering Inspector (for detached single-family projects), Development Review Engineer (for commercial, industrial, or multi-family projects and to confirm pond and water quality BMP construction) and Erosion Control Inspector.

6.2.2 General Meeting Agenda. The following agenda items are addressed at the Initial Close-out Inspection:

- **Inspection of Final BMPs.** Installation of all Final BMPs are inspected, including topsoil spreading, soil preparation, and Drill Seeding and Crimp Mulching.
- **Inspection of Site Cleanup.** Cleanup of the site and adjoining streets is checked.
- **Transition to DESC Program.** For detached single-family residential projects, the transition to the County DESC Program is discussed.
- **Discussion of Vegetation Requirements.** For projects not moving into the DESC Program, the required vegetation inspections and coverage are described.

6.2.3 Detached Single-Family Residential Projects. Initial acceptance sign-offs are required from both the Engineering and Erosion Control Inspectors prior to any release of Engineering holds on Building Permits for detached single-family residential projects. After initial acceptance by both the Erosion Control and Engineering Inspectors, the Permittee(s) shall follow the (DESC) requirements discussed in Section 2.5.5.

If the filing is divided into separate grading phases, as discussed in Sections 2.4.4 and 3.7, Initial Close-out Acceptance (part of the GESC Permit Process) and Engineering Inspections are required for each phase until the entire filing is accepted. Additional information on partial acceptance of phased residential projects is provided in Section 6.3.

6.2.4 Commercial, Industrial, and Multi-Family Residential Projects. For commercial, industrial and multi-family sites, the Development Review Engineer and the Erosion Control Inspector must sign-off prior to release of a CO or TCO. An Initial Close-out Inspection shall be scheduled in accordance with Section 6.1.2. Prior to the inspections, the GESC Manager shall prepare the site in accordance with Section 6.1.

6.2.5 Corrections to Site. The Permittee(s) shall make any corrections to the site as requested by the County Erosion Control Inspector. If the corrections are substantial, the Erosion Control Inspector may require a follow-up inspection to be scheduled prior to issuing Initial Close-out

Initial Close-Out Acceptance, continued

Acceptance.

6.2.6 Engineering Acceptance. Engineering acceptance shall be in accordance with the improvement agreements.

Multi-family projects require approval from both the Review Engineer and Erosion Control Inspector.



Partial Acceptance of Phased Single-Family Residential Projects

6.3

6.3.1 Coordination with Street Acceptance Plan. Phasing of the Subdivision Improvements and lots shall be such that the streets and lots are accessible by a street that has already received preliminary acceptance by Douglas County, or will receive preliminary acceptance as part of the accepted phase. As discussed in Section 3.14, careful consideration should have be given when developing the Street Acceptance Plan for GESC and Subdivision Improvements, since the Street Acceptance Plan will be the guide by which a subdivision phase will be released from the conveyance and building permit restriction. A phased GESC Plan that matches the phasing plan in the SIA is required to be included with the approved construction plans. The phased GESC Plan includes erosion and sediment control measures for each phase in order to protect the phase that will obtain Initial Close-out Acceptance by the County.

All site improvements or subdivision improvement requirements shall be complete for each phase for which Initial Close-out Acceptance is applied for, including all drainage improvements necessary to serve that phase. Detention and water quality facilities that serve one or more phases shall be installed when the first phase that drains to the facility is constructed. Once all the streets curb and gutter and storm sewer drainage improvements have been completed in a phase and all the grading, erosion and sediment controls have be installed or repaired per the Final GESC Plan, inspections shall be made by the Engineering Inspector and Erosion Control Inspector, per Section 5.9 of the *GESC Manual*. If both the Engineering and Erosion Control Inspectors find all items to be compliant with Douglas County requirements, a release of Engineering hold shall be granted and a request to the Building Division may be made to obtain building permits. If there are deficient items, the Permittee(s) shall make the necessary corrections and reschedule an inspection.

***Partial
Acceptance of
Phased Single-
Family
Residential
Projects,
continued***



Photo Courtesy of Michelle Delaria

An aerial view of a phased single-family residential subdivision.

Permit Step 17: Inspect the site monthly during the revegetation process. Make corrections to the site revegetation and other Final BMPs and control weeds as necessary.

Section 6.4 and Section 6.5 discuss Step 17.

Establishment of Vegetation

6.4

6.4.1 Required Inspections and Maintenance. The Permittee(s) shall undertake the following inspections and maintenance operations:

Inspection and maintenance requirements include the following:

1. *Seeded and mulched areas shall be inspected monthly by the Permittee(s) for a period of 2 years following initial seeding. Repairs and reseeded and mulching shall be undertaken at least twice per year or as requested by the Erosion Control Inspector for any areas failing to meet the required coverage.*
2. *Rill and gully erosion shall be filled with topsoil prior to reseeded. Reseeding method shall be approved by the County.*
3. *Noxious weeds shall be controlled in a manner approved by the Douglas County Weed Inspector.*

In addition, the Erosion Control Inspector will make periodic inspections of the revegetation area.

6.4.2 Required Vegetation Coverage. Required vegetation coverage is defined as follows:

Required coverage for permanent, temporary and low growth seed mixes shall be defined as follows:

1. *At least 3 plants per square foot with a minimum height of 3 inches. The 3 plants per square foot shall be of the variety and species found in the Douglas County-approved mix (Appendix E).*
2. *No bare areas larger than 4 square feet, 2 x 2 feet or equivalent.*
3. *Free of eroded areas.*
4. *Free from infestation of noxious weeds in accordance with Section 6.5.*

Required Coverage for turf grass areas shall be defined as follows:

1. *At least 80% vegetative cover of grass species planted.*
2. *No bare areas larger than 4 square feet, 2 x 2 feet or equivalent.*
3. *Free of eroded areas.*
4. *Free from infestation of noxious weeds in accordance with Section 6.5.*

Control of Noxious Weeds



Full vegetation coverage is required prior to release of Fiscal Security.

6.5

Douglas County, through its Undesirable Plant Management Plan, requires landowners to control noxious weeds on their property. Noxious weeds negatively impact agriculture, water quality, recreational opportunities, and wildlife. For these reasons, all projects subject to acceptance for final revegetation shall be free of noxious weed infestation.

Douglas County has designated the following as noxious weeds:

1. *Leafy spurge.*
2. *Diffused knapweed.*
3. *Russian knapweed.*
4. *Spotted knapweed.*
5. *Musk thistle.*
6. *Canada thistle.*
7. *Scotch Thistle.*
8. *Hoary cress.*
9. *Perennial pepperweed.*
10. *Yellow toadflax.*
11. *Dalmation toadflax.*

The following information is intended to be used as a guide for landowners, developers and Contractors to identify noxious weeds on project sites and to take early measures to control the weeds in the early stages of infestation. This will reduce the likelihood of costly eradication measures prior to final acceptance by the County. Help in controlling noxious weeds may be found by contacting the Douglas County Weed Inspector.

Contact information for the Douglas County Weed Inspector can be found in Appendix A.

Control of Noxious Weeds, continued

LEAFY SPURGE (*Euphorbia esula*) is a perennial, up to 3 feet tall; reproducing by vigorous rootstalks and seeds. Leaves are alternate, narrow, and 1 to 4 inches long. Stems are thickly clustered. Flowers are yellowish-green, very small, arranged in numerous small clusters. Roots are brown, containing numerous pink buds which



Yellow Flowered Leafy Spurge.



Spurge sprout by quarter.

may produce new shoots or roots. The entire plant contains a caustic milky sap, which has been known to cause dermatitis. Seeds are oblong, grayish to purple, *Spurge buds in spring.*

contained in a three-celled capsule, each cell with a single seed.



Pink and white flowered diffuse knapweed.

DIFFUSE KNAPWEED (*Centaurea diffusa*) is a diffusely branched annual or biennial, 1 to 2 feet tall. Stems are rough to the touch. Leaves are small, divided; flowering heads are numerous and narrow. Ray flowers are white to rose or sometimes purplish; leaflets around base of flower head are divided like the teeth of a comb, tipped with definite slender spines.

Control of Noxious Weeds, continued

SPOTTED KNAPWEED

(Centaurea maculosa) is a short-lived perennial with a stout taproot, (like a dandelion). It can have one or more stems, branched 1 to 3 feet tall. Base leaves are up to 6 inches long, blades are narrowly oblong to lance shaped tapering at both ends, with feather-like ends; principal stem leaves are also featherlike. Flowering head is solitary, with terminating branches; the circle of leaflets below flower is stiff and tipped with a dark comb-like fringe. The flowers are pinkish-purple or on rare occasions cream colored.



Spotted Knapweed.

RUSSIAN KNAPWEED

(Centaurea repens) is a creeping perennial that reproduces from seed and vegetative buds in its root system. Stems wither away annually. Shoots are erect, about 18 to 36 inches tall, and many branched. Lower leaves are 2 to 4 inches long and deeply lobed; upper leaves are smaller generally with smooth margins, but can be slightly lobed. Shoots and leaves are covered with dense gray hairs. The cone-shaped flowering heads are solitary and occur on shoot tips; they generally are ¼ to ½ inches in diameter and have smooth papery bracts. Flower color can be pink, lavender, or white. Russian knapweed has horizontal roots that have a brown to black, scaly appearance. Russian knapweed forms dense, single species stands over time due to release of toxins and competition.



Russian Knapweed.



CANADA THISTLE

(Cirsium arvense) is a colony-forming perennial from deep underground and extensive horizontal roots. Stems are 1 to 4 feet tall, ridged, and branching. Leaves are alternate, lacking stalks, oblong or lance-shaped, divided into spiny tipped irregular lobes. Flowers are purple in heads ½ to ¾ inches in diameter; with a circle of leaflets below the flowers.



Canada Thistle.

**Control of
Noxious Weeds,
continued****SCOTCH THISTLE**

(*Cirsium arvense*) Scotch thistle is a biennial, producing a large rosette of spiny leaves the first year. The second year the weed transforms into a coarse branching plant up to 8 feet tall and 5 feet in diameter. Under poor growing conditions, the plants may stand less than a foot tall, but can produce nearly as many seeds as the larger plant.

Scotch thistle leaves are deeply lobed or serrated with long, stiff spines along the margins. The



Scotch Thistle.



Scotch Thistle.

leaves have winged appearance that continues down the stems of the plant. Fine hairs give the plant a grayish appearance. Purple flowers, more than an inch in diameter, are produced in the summer. Flower heads remain upright, rather than nodding as Musk thistle flowers do. Stocks supporting the flowers are leafy.

MUSK THISTLE

(*Carduus nutans*) is biennial or sometimes a winter annual, which grows up to 6 feet tall. Leaves are dark green with light green midrib, deeply lobed, serrated or with spiny margins. Edges of leaves are often a grayish-silver color. The leaves extend onto the stem giving a winged appearance. Flower ends each branch, solitary, 1½ to 3 inches in diameter. It is usually bent over. Flowers are deep rose, violet, or purple, and occasionally white. Flowers have a base of long narrow, spine-tipped leaflets.



Musk Thistle.

Control of Noxious Weeds, continued



Hoary Cress.

irregular lobes. Flowers are purple in heads ½ to ¾ inches in diameter with clusters of spineless leaflets.



Hoary Cress.



Perennial Pepperweed.

Photo-Steve Dewey, Utah State University

PERENNIAL PEPPERWEED (*Lepidium latifolium*) is a colony-forming perennial from deep underground and extensive horizontal roots. Stems are 1 to 4 feet tall, ridged, and branching. Leaves are alternate, oblong or lance-shaped, divided into spiny tipped irregular lobes. Flowers are purple in heads ½ to ¾ inches in diameter; with spineless leaflets.

YELLOW TOADFLAX

(*Linaria vulgaris*) is a perennial, often over 3 feet tall. Numerous long and narrow pale green leaves are smooth and pointed. Flowers are snapdragon type 1 to 1½ inches long, bright yellow with deep orange centers. Vigorous roots are woody, creeping, and well branched, with multiple laterals. Yellow toadflax spreads by seeds and roots.



Yellow Toadflax.

Control of Noxious Weeds, continued

DALMATION TOADFLAX

(Linaria dalmatica) is a colony-forming perennial from deep underground and extensive horizontal roots. Stems are 1 to 4 feet tall, ridged, and branching. Leaves are alternate, oblong or lance-shaped, divided into spiny tipped irregular lobes. Flowers are purple in heads ½ to ¾ inches in diameter; with a circle of leaflets below the flower.



Dalmation Toadflax
Photo by the British Columbia
Ministry of Agriculture



Dalmation Toadflax

Permit Step 18: Schedule the Vegetation Acceptance Inspection when vegetative growth has reached the required coverage.
Section 6.6 discusses Step 18.

Acceptance of Vegetation

6.6

6.6.1 Vegetation Acceptance Inspection. Once vegetation has reached the required coverage as defined in Section 6.4, the Permittee(s) shall call the Engineering Permits Staff (contact information is shown in Appendix A) to schedule a Vegetation Acceptance Inspection.

6.6.2 Written Acceptance. The Erosion Control Inspector will confirm that vegetation has met the required coverage and that noxious weeds have been controlled. If the required coverage has been met, the Erosion Control Inspector will issue written acceptance of the vegetation and give the Permittee(s) instructions to remove remaining on-site BMPs. If the required coverage is not met, repairs or corrections will have to be made by the Permittee(s) and a follow-up Vegetation Acceptance Inspection scheduled once the vegetation meets the required coverage.

Permit Step 19: After receiving written acceptance of vegetation establishment from the County, remove the on-site BMPs and schedule the Final Close-out Inspection.

Section 6.7 discusses Step 19.

Final Close-Out Inspection

6.7

6.7.1 Removal of On-site BMPs. After obtaining written acceptance of the vegetation coverage, the remaining on-site BMPs shall be removed and properly disposed. The site shall be cleaned up and any areas disturbed as a result of the BMP removal shall be seeded and mulched. The Final Close-out Inspection shall then be scheduled with the County.

6.7.2 Final Close-out Inspection. The Erosion Control Inspector will check the removal of BMPs and either accept the work or stipulate the corrections that have to be made. If corrections are substantial, the Erosion Control Inspector may require that a follow-up inspection be scheduled with the County.

Permit Step 20: After receiving written notice from the County that all GESC requirements have been addressed, submit a signed Fiscal Security Release Form to the County. After the Fiscal Security is released by the County, the project is complete.

Section 6.8 and Section 6.9 discuss Step 20.

Release of Fiscal Security

6.8

Once Final Close-out Acceptance has been obtained, the Permittee(s) may submit a Release of Fiscal Security Request Form to the Douglas County Engineering Agreements Technician. A copy of this form is included in Appendix L. After the Engineering Agreements Technician has received a completed request form, it will be signed-off by the Erosion Control Inspector and the project's Fiscal Security will be released.

Revocation of Fiscal Security for Default by Permittee(s)

6.9

6.9.1 Default by Permittee(s). In the event there is a default by the Permittee(s) of any of the requirements of the GESC Permit, GESC Plan and/or *GESC Manual*, remedies will be in accordance with the remedies identified in this *GESC Manual*, remedies set forth in Section 31 of the Zoning Resolution, the Stormwater Ordinance, remedies listed in the Subdivision Improvements Agreement for the filing, and any other remedies provided by law.

A Default by Permittee(s) shall be based on conditions including, but not limited to, the following:

A Default by Permittee(s) shall be based on conditions including, but not limited to, the following:

- (a) *Permittee(s) fails to construct the improvements in substantial compliance with the GESC Plan and the other requirements of the GESC Permit;*
- (b) *Permittee(s) fails to complete construction of the GESC Improvements by the completion date provided in the GESC Plan or Permit as the same may be extended;*
- (c) *Permittee(s) fails to cure any noncompliance specified in any written notice of noncompliance within the timeframe specified in the notice of noncompliance;*
- (d) *Permittee(s) otherwise breaches or fails to comply with any obligations of the GESC Permit;*
- (e) *Permittee(s) becomes insolvent, files a voluntary petition of bankruptcy, is adjudicated as bankrupt pursuant to an involuntary petition in bankruptcy, or a receiver is appointed for the Permittee;*
- (f) *Permittee(s) fails to maintain in full force and effect a letter of credit in the amounts specified above or in the GESC Permit. Notice of default as to any phase of the GESC improvements must be given prior to expiration of the warranty period for such phase of the Subdivision Improvements as hereinafter provided.*

***Revocation of
Fiscal Security
for Default by
Permittee(s),
continued***

6.9.2 Notice of Default. If the Public Works Engineering Director, or representative of the Public Works Engineering Director, gives notice that a Default by Permittee(s) exists, and if the Permittee(s) fails to cure such default within the time specified by the Public Works Engineering Director, the County shall be entitled to: (a) make a draw on the letter of credit for the amount reasonably determined by the County to be necessary to cure the default in a manner consistent with the approved GESC Plan up to the face amount of the letter of credit; and (b) sue the Permittee(s) for recovery of any amount necessary to cure the default over and above the amount available under the letter of credit.

6.9.3 County Right to Complete Subdivision Improvements. The County shall have the right to complete the GESC Improvements, in substantial accordance with the GESC Plan, the Opinion of Probable Costs, and other requirements of this *GESC Manual*, either itself or by contract with a third-party or by assignment of its rights to a successor Permittee(s) who has acquired the subdivision/project by purchase, foreclosure, or otherwise. The County, any Contractor under contract with the County, or any such successor Permittee(s), their agents, subcontractors and employees shall have the non-exclusive right to enter upon the subject property for the purpose of completing the GESC Improvements.

6.9.4 Use of Funds by County. Any funds obtained by the County under a letter of credit, or recovered by the County from the Permittee(s) by suit or otherwise, will be used by the County to pay the costs of completion of the GESC Improvements substantially in accordance with the GESC Plan and the other requirements of this *GESC Manual* and to pay the reasonable costs and expenses of the County in connection with the Default by Permittee(s), including reasonable attorneys' fees, with the surplus, if any, to be returned to the Permittee(s).